

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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SENATE BILL 640

Short Title: No Income Tax Withholding on H2A Workers. (Public)

Sponsors: Senators Jackson and Brock (Primary Sponsors).

Referred to: Finance.

April 4, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT COMPENSATION PAID TO AN H-2A AGRICULTURAL
3 WORKER FROM STATE INCOME TAX WITHHOLDING TO THE EXTENT THE
4 COMPENSATION IS EXEMPT FROM FEDERAL INCOME TAX WITHHOLDING.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 105-163.3(b) reads as rewritten:

7 "(b) Exemptions. – The withholding requirement does not apply to the following:

8 (1) Compensation that is subject to the withholding requirement of
9 G.S. 105-163.2.

10 (2) Compensation paid to an ordained or licensed member of the clergy.

11 (3) Compensation paid to an entity exempt from tax under G.S. 105-130.11.

12 (4) Compensation paid to an alien that is not subject to federal income tax
13 withholding under section 1441 of the Code."

14 **SECTION 2.** This act is effective for taxable years beginning on or after January 1,

15 2014.

